

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Charles E. Melino
Title: Dust Containment System
Serial No.: 09/262,656
Filed: 03/04/1999
Art Unit: 3634
Attorney Docket No.: 2007-115

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

Attention: Office of Petitions
Mail Stop Petition
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OCT 23 2009

OFFICE OF PETITIONS

Sir:

I hereby certify that the following documents:

1. Original Cover Letter dated October 15, 2009;
2. Copy of Cover Letter dated May 1, 2007;
3. Copy of Transmittal Form (PTO/SB/21) dated May 1, 2007;
4. Copy of Fee Transmittal For FY 2007 (PTO/SB/17) dated May 1, 2007;
5. Copy of Petition For Revival of an Application For Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b) (PTO/SB/64) dated May 1, 2007;
6. Copy of Letter to Official Draftsman dated May 1, 2007;
7. Copy of Seven (7) sheets of Formal Drawings mailed dated May 1, 2007;
8. Copy of Power of Attorney (PTO/SB/81) dated May 1, 2007;
9. Copy of Check No. 1059 in the amount of \$1,450 to cover the Petition Fee (\$750.00) and the Issue Fee (\$700.00) dated May 1, 2007;
10. Copy of Certificate of Mailing Under 37 C.F.R. §1.8 dated May 1, 2007; and
11. Original Certificate of Mailing Under 37 C.F.R. §1.8 dated October 15, 2009;

are being deposited with the United States Postal Service, with sufficient postage as first class mail, in an envelope addressed to: Attention: Office of Petitions; Mail Stop Petition; Commissioner For Patents; P.O. Box 1450; Alexandria, VA 22313-1450, on the date indicated below:

Steven N. Fok

Date

10/15/2009

**FOX & ASSOCIATES**

62 South Main Street
Sharon, MA 02067

Steven N. Fox, Esq.
Patents, Trademarks & Copyrights

Voice: 781-821-8920
Fax: 781-821-8919

October 15, 2009

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OFFICE OF PETITIONS

Office of Petitions
Mail Stop Petition
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application
Title: Dust Containment System
Serial No.: 09/262,656; Filed: 03/04/1999
Our Docket No.: 2007-115

Sir:

Enclosed please find a copy of the following documents that were filed with the USPTO on May 1, 2007:

1. Cover Letter Dated May 1, 2007;
2. Transmittal Form (PTO/SB/21);
3. Fee Transmittal For FY 2007 (PTO/SB/17);
4. Petition For Revival of an Application For Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b) (PTO/SB/64);
5. Letter to Official Draftsman;
6. Seven (7) sheets of Formal Drawings;
7. Power of Attorney (PTO/SB/81);
8. Check No. 1059 in the amount of \$1,450 to cover the Petition Fee (\$750.00) and the Issue Fee (\$700.00); and
9. Certificate of Mailing Under 37 C.F.R. §1.8.

After inquiring into the status of the petition, the undersigned was advised by the Office of Petitions that Check No. 1059 was cashed but that the above documents could not be located. The Office of Petitions requested Applicants to file a duplicate copy of the documents as filed.

Applicants request that a decision on the Petition to Revive be issued.

Respectfully submitted,

FOX & ASSOCIATES

Steven N. Fox

Enclosures



Steven N. Fox, Esq.

P.O. Box 251
Canton, MA 02021

Steven N. Fox, Esq.

Patent, Trademark, and Copyright Law

(Voice) 781-821-8920

(Facsimile) 781-821-8919

(E-Mail) foxpatent@aol.com

May 1, 2007

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Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OCT 23 2009
OFFICE OF PETITIONS

Re: U.S. Utility Patent Application
Title: Dust Containment System
Serial No.: 09/262,656; Filed: 03/04/1999
Inventor: Charles E. Melino
Attorney Docket No.: 2006-106

Sir:

Enclosed please find the following documents for filing with the U.S. Patent and Trademark Office in the above-captioned patent application:

1. Transmittal Form (PTO/SB/21);
2. Fee Transmittal for FY 2007 (PTO/SB/17);
3. Petition For Revival of an Application For Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b) (PTO/SB/64);
4. Letter to Official Draftsman;
5. Seven (7) Sheets of Formal Drawings;
6. Power of Attorney (PTO/SB/81);
7. Check No. 1059 in the amount of \$1,450.00 to cover the Petition Fee (\$750.00) and the Issue Fee (\$700.00); and
8. Certificate of Mailing Under 37 C.F.R. §1.8.

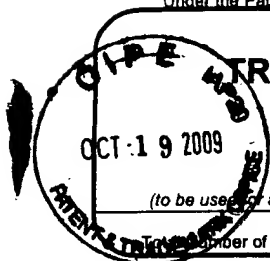
If you should have any questions, please do not hesitate to contact me.

Respectfully submitted,

Steven N. Fox

Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/262,656
Filing Date	03/04/1999
First Named Inventor	Charles E. Melino
Art Unit	3634
Examiner Name	
Attorney Docket Number	2007-115 (Formerly DKT # MELINO)

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Total Number of Pages in This Submission

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ENCLOSURES (Check all that apply)

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input checked="" type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input checked="" type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Petition to Revoke (PTO/SB/64); Letter to Official Draftsman; Check No 1059; and Certificate of Mailing. |
|---|--|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	Steven N. Fox, Esq.		
Date	5-1-2007	Reg. No.	33,237

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

OCT 19 2009

PTO/SB/17 (02-07)

Approved for use through 02/28/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective 03/20/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2007☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) \$1,450.00**Complete if Known**

Application Number	09/262,656
Filing Date	03/04/1999
First Named Inventor	Chales E. Melino
Examiner Name	
Art Unit	3634
Attorney Docket No.	2007-115 (Formerly MELINO-2)

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OCT 23 2009

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)
 Each independent claim over 3 (including Reissues)
 Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**
 21 - 20 or HP = 1 x 25 = \$25.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**
 - 3 or HP = x =

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**
 - 100 = / 50 = (round up to a whole number) x =

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) Petition Fee (\$750.00) and Issue Fee (\$700)

Fees Paid (\$)

\$1450

SUBMITTED BY

Signature	Registration No. 33,237 (Attorney/Agent)	Telephone 781-821-8920
Name (Print/Type) Steven N. Fox, Esq.		Date 5-1-2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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